

Idaho Criminal Justice Commission
Regular Meeting
July 31, 2020

Location: Zoom

Time: 8 a.m.–12 p.m.

Idaho Criminal Justice Commission Members Present:

Eric Fredericksen, Chair, SAPD	Lisa Bostaph, Public Member
Paul Wilde, Vice Chair, Idaho Sheriffs Association	Todd Lakey, Senate Judiciary & Rules
Dan Hall, Chiefs of Police Association	Colleen Zahn, Idaho Attorney General's Office
Melissa Wintrow, House Jud, Rules & Admin	Greg Chaney, House Jud, Rules & Admin
Dave Jeppesen, Health & Welfare	Jared Larsen, Office of the Governor
Grant Burgoyne, Senate Judiciary & Rules	Denton Darrington, Public Member
Ashley Dowell, Comm of Pardons & Parole	Melinda Smyser, Office of Drug Policy

Monty Prow, IDJC
Josh Tewalt, Department of Correction
Darrell Bolz, Public Defense Commission
Sara Odmunson, Idaho Supreme Court
Seth Grigg, Idaho Association of Counties

Comprising a quorum of Idaho Criminal Justice Commission (Commission)

Idaho Criminal Justice Commission Members Absent:

Kedrick Wills, Idaho State Police
Bart Davis, U.S. Attorney, District of Idaho
Darren Simpson, Judge, District Court
Margie Gonzalez, Comm. on Hispanic Affairs
Grant Loebs, Prosecuting Attorneys Assoc.
Eric Studebaker, Department of Education

Others Present:

James Cawthon, Judge, District Court
Tom Sullivan, Judge, District Court
Cheryl Foster, Office of Drug Policy

Agenda <i>Who's Responsible</i>		Meeting Outcomes/Decisions Reached	Due Date
8:00 am (5 min)	Call to Order– <i>Chair Eric Fredericksen</i> <ul style="list-style-type: none"> • Welcome and Roll Call— <i>Chair Eric Fredericksen</i> • Review Commission's Vision and Mission Statement and Values—<i>Commission Members</i> 		
Commission Management			
8:05 am (10 min)	Action Item – Approve June 2020 Minutes <u>Subcommittee Reports</u> <ul style="list-style-type: none"> • Human Trafficking • Mental Health • Research Alliance • Sex Offender Registration Requirements 	There was a motion to approve the June 2020 meeting minutes by Colleen Zahn and seconded by ?? The motion carried. The subcommittees HT, MH, RA, SO have not met.	
Promote Well-Informed Policy Decisions			
8:15 am (30 min)	COVID-19 Update – <i>Dave Jeppesen, Director, Idaho Department of Health and Welfare</i>	<p>It is important that the state's healthcare capacity is not overrun. The tools the state is utilizing are testing, tracing, and communication. ~23-24K tests are being completed per week. The turnaround times are longer than anyone would like. The state received \$40M dollars for testing and is investing in equipment and supplies. There are 52 labs that process tests. Currently labs are able to run about 25K test/week. The department is looking to increase this by about 50%. Pharmacies will be utilized to increase testing sites. This will help in rural areas. One of the biggest challenges is that individuals could have no symptoms but transmit the virus. This is where tracing comes in. Contract tracing has been around for a long time and the department only had ~25 tracers when this process started. There are now about 275 tracers. The best tools individuals have is to minimize the transmission by doing these things: hygiene/hand washing, face coverings, and distancing.</p> <p>The cases in July increased. The state has passed the 20,000 mark. 6,000 have recovered. 57% of all cases are under 40 years of age. 8% are under 18 years old. There have been 157 deaths. Blaine County has the highest positivity rate. The top five counties are Owyhee, Canyon, Clark, Minidoka, and Washington counties. There are six counties that have had zero cases in the last seven days.</p> <p>Blaine, Ada, Bonneville, Teton, and Kootenai counties have taken action and implemented some sort of order.</p>	

		<p>In our long-term care facilities (400 facilities across the state), 100 have had outbreaks. This continues to be an area of concern. The state department of Ed has issued some guidance and the public health districts are working with the schools as well because everyone would like to see the schools open. Up and down activity is expected as the state moves forward.</p> <p>The White House report, that recently came out, encourages red counties to take further action. The recommendations include mask mandates... The state level approach is to let the locals make the decisions, unless the healthcare capacity is overrun.</p> <p>There are two types of tests: one test shows an individual currently has the virus and the other is an antibody test to determine if you had the virus but weren't tested prior.</p> <p>Priority for testing? Priority 1 are symptomatic people and asymptomatic but have had direct contact with a positive case. School testing is also a priority. Some universities are using their labs to increase testing capacity and should help cover their own testing of students. The department has hired some testing coordinators to help providers with where to send tests for open capacity.</p> <p>Law enforcement officers are highly utilizing PPE and some have been tested but there are not any reports of positive cases with officers. It is more of the detention facilities that are having more positives. One detention center in the Magic Valley has inmates and staff that have contracted the virus.</p> <p>DHR has been sending directives/guidance to the state agencies.</p>	
8:45 am (30 min)	IDOC Annual Update – <i>Josh Tewalt, Director, Idaho Department of Correction</i>	<p>Are increases going up in relation to population? It's hard to tell. The department is trying to focus on the external stakeholder piece as they can't control when individuals become incarcerated or when they leave. The department wants to make options available, which will hopefully impact recidivism and initial arrests.</p> <p>IDOC has tested about ~2700 in custody and have had ~800 positives. Most have been cleared. IDOC found that there was a high amount of asymptomatic</p>	

		<p>cases. 60 cases are showing symptoms but only nine require acute medical care and there have been two hospitalizations. IDOC purchased 30,000 tests so they wouldn't be behind in testing.</p> <p>State inmates are demanding testing within the county jails. IDOC will work with the counties to get more testing done. There are ~864 state inmates in county custody. There has been no movement of state inmates and counties are struggling to cover costs for these inmates. Inmates have a tendency to ask for the same treatment/services that the state is providing but the county can't afford.</p>	
9:15 am (30 min)	Capital Crimes Defense Fund – <i>Kelli D Brassfield, Idaho Association of Counties</i>	<p>The Capital Crime Defense Fund (CCDF) was created in 1998 pursuant 19-863A, Idaho Code. The purpose is to provide funding to cover the costs of criminal defense cases where the death penalty is a legal possibility. The assessments, board administration, and contracting are set forth in the Joint Powers Agreement (JPA). The JPA specifies the Board members as follows:</p> <ul style="list-style-type: none"> • One member from each IAC District and one at-large member (7 members) • Current members: Mike Fitzgerald, Shoshone; Doug Zenner, Nez Perce; Mark Rekow, Gem; Mark Bolduc, Gooding; Whitney Manwaring, Bingham; Greg Shenton, Clark; and Dave McGraw, Latah <p>The CCDF is accessible to counties for crimes in which the death penalty is sought and must have occurred on or after October 1, 1998. The county Prosecutors must declare he or she is seeking the death penalty no later than 60 days after the entry of a plea. Counties submit an application to the CCDF Board with supporting documentation to include the notice to seek the death penalty. Counties shall pay a \$10,000 deductible for trial costs. Multiple defendants will each have their own deductible.</p>	

		<p>Data:</p> <p>There have been 47 cases since creation in 1998. There are currently two active cases (Ada and Bannock). The CCDF is anticipating two cases. \$2,265,204.17 has been spent from February 2018 to June 2020 and the Board averages six cases for each meeting.</p>	
<p>9:45 am (15 min)</p>	<p>Other ICJC Business</p> <ul style="list-style-type: none"> Strategic Plan Amendment Discussion 	<p>Drug policy has suggestions for their section. Will add to the September meeting.</p>	
<p>10:00 am</p>	<p>Adjournment</p>		

Next regularly scheduled meeting to be held in Boise, Friday, September 25, 2020

“Collaborating for a Safer Idaho”